

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE TREMONT SECURITIES LAW, STATE Master File No.  
LAW AND INSURANCE LITIGATION : 08 Civ. 11117 (TPG)

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This Document Relates to: :

INSURANCE ACTION, 09 Civ. 557 (TPG), :  
and specifically to:

F. DANIEL PRICKETT, : 09 Civ. 3137 (TPG)

Plaintiff, : ECF CASE  
- against - : Electronically Filed

NEW YORK LIFE INSURANCE COMPANY, : **NOTICE OF MOTION**  
et al., :

Defendants. :

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PLEASE TAKE NOTICE that, upon the Second Amended Complaint, the accompanying memorandum of law, the Declaration of Jason C. Vigna, dated November 28, 2012, and the exhibits thereto, and all prior papers and proceedings herein, defendants Tremont Group Holdings, Inc. and Tremont Partners, Inc. will move this Court, before the Honorable Thomas P. Griesa, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order: (i) dismissing the Second Amended Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure; and

(ii) granting such other and further relief as this Court may deem just and proper.

Dated: New York, New York  
November 28, 2012

/s/ Seth M. Schwartz

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